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MAR 06 2013

DEPUTY

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

STATE OF MONTANA,

Plaintiff,

vs.

HARRIS HIMES,

Defendant.

Cause No. DC-11-117

ORDER SETTING JURY TRIAL

A scheduling conference was held on the 1st day of March, 2013, to determine a pretrial conference and trial date.

NOW THEREFORE, IT IS HEREBY ORDERED as follows:

1. A pretrial conference shall be held on August 22, 2013 at 2:00 p.m. in the Courtroom of the Beaverhead County Courthouse, Dillon, Montana. At the final pretrial conference the Court and the parties will discuss the policies and procedures to be followed at trial and other pending issues.

2. Seven days before the pretrial conference, the parties shall have conferred and shall have submitted stipulated jury instructions. The parties also are encouraged to stipulate to facts and to prepare a document incorporating the stipulation which will be presented to the jury as an instruction by the Court.

On or before September 6, 2013 each party may submit additional proposed instructions.

The proposed instructions shall be numbered at the bottom of the page or on a separate page. The authority for each proposed instruction shall be included at the bottom of the page or on a separate page following each instruction.

1 All instructions shall be provided to the Court on a disk or via e-mail at dkaatz@mt.gov.

2 If more than 10 instructions are proposed, the proposed instructions shall include an index
3 sheet which identifies the stipulated instructions. Absent the required index, proposed instructions
4 may not be considered. The Court may not consider proposals which are not timely and in
5 compliance with this order.

6 3. All exhibits shall be pre-marked and served upon the opposing party at least 2 weeks
7 before trial.

8 Plaintiff shall label with numerals. Defendant shall label with letters. Failure to comply may
9 result in sanctions including, but not limited to, refusal to admit an exhibit or all exhibits.

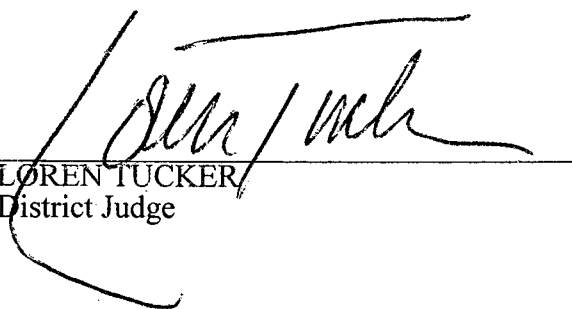
10 Objections to exhibits other than foundation shall be filed and served at least five days before
11 trial or shall be waived.

12 4. Each party may file and serve a Trial Brief which shall contain 1) not more than one
13 paragraph for each legal issue with citations to controlling law 2) a list of witnesses and 3) a list of
14 exhibits unless the party has supplied the Court with a separate binder of exhibits.

15 5. A seven day jury trial shall begin on Monday, September 16, 2013 at 9:00 a.m. in Judge
16 Haynes' Courtroom of the Ravalli County Courthouse, Hamilton, Montana.

17 6. The Clerk of Court will please file this Order and distribute a copy to the parties.

18 Dated: March 14, 2013.

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LOREN TUCKER
District Judge
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